

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

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|-------------------------------|---|------------------|
| UNITED STATES OF AMERICA, | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | CIVIL ACTION NO. |
| | § | |
| \$20,793.00 IN U.S. CURRENCY, | § | |
| Defendant in rem | § | |

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$20,793.00 in United States currency, Defendant in rem, and alleges the following.

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

Defendant in Rem

2. Defendant in rem is approximately \$20,793.00 in United States currency that was seized from Yahya Tukdi and Mumtaz Tukdi on June 21, 2011, at the George Bush Intercontinental Airport in Houston, Texas.

Jurisdiction and Venue

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. These statutes state in pertinent part that:

- 1) a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. 31 U.S.C. § 5316(a)(1)(A);
- 2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, fail to file a report required by 31 U.S.C. § 5316. 31 U.S.C. § 5324(c)(1);
- 3) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. 31

U.S.C. § 5324(c)(2).

Facts

6. On June 21, 2011, Yahya Tukdi and Mumtaz Tukdi, husband and wife, were about to leave the United States aboard Emirates Airlines flight #212 to Dubai, United Arab Emirates at the George Bush Intercontinental Airport in Houston, Texas. In the jetway for this flight, a United States Customs and Border Protection Officer (CBP Officer) conducted a Customs outbound inspection. The CBP Officer explained to Yahya Tukdi and Mumtaz Tukdi the monetary reporting requirement for passengers leaving the United States. The CBP Officer asked them if they were transporting more than \$10,000 in cash or monetary instruments for themselves or anyone else. Mr. Tukdi stated that he was transporting only \$13,000. He and Mrs. Tukdi reported in writing under the penalty of perjury that they were transporting \$13,000.

7. A CBP Officer directed Mr. and Mrs. Tukdi to an inspection table to verify the amount of money they were carrying. At the inspection table, a CBP Officer asked Mr. and Mrs. Tukdi place their money on the table. They placed some money on the table. CBP Officers inspected the couple's luggage. During the inspection of Mrs. Tukdi's luggage, CBP Officers found some additional money. After counting all of the funds, it was determined that Mr. and Mrs.

Tukdi were in possession of \$20,793 which they were attempting to transport out of the United States. CBP Officers seized the funds for forfeiture.

Relief Requested

8. Plaintiff requests an arrest warrant and summons pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, a judgment of forfeiture, and costs and other relief to which the Plaintiff may be entitled.

Dated: August 17, 2011.

Respectfully submitted,

José Angel Moreno
United States Attorney

By: /s/ Albert Ratliff
Albert Ratliff
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Verification

I, Michael Campise, Special Agent, United States Homeland Security Investigations, declare under penalty of perjury as provided by 28 U.S.C. §1746

that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on August 17, 2011.



Michael Campise, Special Agent
U. S. Homeland Security Investigations